



**Pierce County Lead Entity
(Puyallup & Chambers/Clover Watershed)**

April 23, 2010

United States Army Corps of Engineers
Attn: CECW-CE, Douglas J. Wade
441 G Street NW
Washington, DC 20314-1000

Re: Docket Number COE-2010-0007

Dear Mr. Wade:

The Citizen Advisory Committee (CAC) of the WRIA 10/12 (Puyallup/White and Chambers/Clover watersheds) Lead Entity appreciates the opportunity to comment on the February 9, 2010 proposal by the U.S. Army Corps of Engineers (Corps) to revise its policy regarding a variance from the national standard for managing vegetation on levees that are part of the Public Law (PL) 84-99 program. The mission of the Lead Entity and CAC is to support the recovery of self-sustaining, harvestable salmon populations in Puget Sound by restoring and protecting salmon habitat.

We respectfully express our disagreement with the Corps' proposed revisions. This proposal is likely to lead to widespread habitat degradation, therefore limiting the Puget Sound region's efforts to restore and protect Pacific salmon habitat. We urge the Corps to rescind this proposal, and revise the national levee vegetation standards based on current science. In the interim, we ask that the Corps permit greater regional flexibility to allow local jurisdictions to integrate habitat and water quality goals while maintaining public safety priorities.

Many northwest salmonid species are listed as threatened under the Endangered Species Act, and the Puget Sound Salmon Recovery Plan identifies the loss of critical habitat as a significant contributor to the demise of these fish populations. Mature riparian vegetation provides shade (thermal cover), food resources, and instream habitat (large wood input which provides refuge and habitat complexity) for salmonids. The Puget Sound Salmon Recovery Plan and the WRIA 10/12 Salmon Habitat Protection and Restoration Strategy include restoring healthy riparian buffers with native vegetation immediately adjacent to the river or stream as a priority for salmon habitat restoration. The vegetation maintenance required by the proposed national standard directly undermines our ability to restore riparian habitat and to meet the needs of Endangered Species Act-listed salmonids.

There are currently 39 miles of levees enrolled in the PL84-99 program within WRIA 10/12. We believe that the proposed policy would result in the removal of hundreds, if not thousands, of trees from the river corridor. While the proposed revised policy provides an option for obtaining variances for individual levees, the application process is so involved that it is not a feasible or cost-effective option for local jurisdictions. In addition, there is no guarantee that individual variance applications would be approved by the Corps, thereby locking the jurisdiction into the proposed national maintenance standards.

Local jurisdictions within WRIA 10/12 strive to provide flood protection to their citizens while also meeting the federal mandates of the Endangered Species Act and the Clean Water Act. Retention of vegetation on levees has not been found to compromise the structural stability; rather it has been used to strengthen and stabilize levee slopes. These conclusions were presented at the Corps-sponsored symposium, "An Examination of Levee Vegetation Policy," held in February 2009 in Renton, Washington. We were encouraged by that discussion, and by the resulting effort the Corps, working with the National Marine Fisheries Service, to scope a local pilot study that would use rigorous methods to test assumptions about the interactions between vegetation and levees and then drive the development of locally-appropriate vegetation management standards. We appreciate the work the Corps' Seattle District staff put into developing the pilot concept, and more generally the willingness of the local office to look at options for resolving the complex issues at hand.

This proposal goes in the opposite direction from where that 2009 discussion seemed to point and, as a result of the failure of the pilot concept, apparently does not specifically address conditions and opportunities in Puget Sound or across Washington State. It fails to maintain the status quo policy that offered marginal but useful flexibility and a more tailored and locally-responsive management approach.

The WRIA 10/12 Citizen Advisory Committee and Lead Entity request that:

- The Corps withdraw this proposal and base any future policy changes on current, peer-reviewed scientific research.
- The Corps allow the current Seattle District regional variance to remain in place and increase the flexibility for vegetation retention on levees by considering local conditions.
- Provide solutions for PL84-99 Program participants who are struggling to comply with conflicting federal mandates.

Respectfully,



Keith Underwood
Chair, Citizens Advisory Committee, WRIA 10/12